



12-16-05

JFW

PTO/SB/21-(09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/812,680

Filing Date

March 30, 2004

First Named Inventor

David C. Boyer et al.

Art Unit

1755/Conf. #4028

Examiner Name

David M. Brunzman

Attorney Docket Number

02274/6622AUS

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Emch, Schaffer, Schaub & Porcello Co., L.P.A.		
Signature	<i>Patrick P. Pacella</i>		
Printed name	Patrick P. Pacella		
Date	Dec 14, 2005	Reg. No.	25,463

## CERTIFICATE OF TRANSMISSION/MAILING Express Mail: EV547664240US

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as ~~XXXXXX~~ mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Express

Signature	<i>Kathy A. Burgess</i>		
Typed or printed name	Kathy A. Burgess	Date	12/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



02274/6622AUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/812,680  
Applicant : David C. Boyer et al.  
Filed : March 30, 2004  
TC/A.U. : 1755  
Examiner : David M. Brunsman  
Docket No. : 02274/6622AUS  
Confirmation No. : 4028  
Customer No. : 20879

MAIL STOP AMENDMENT (NO FEE)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 14, 2005

**RESPONSE**

Sir:

This communication is being filed in response to the Office Action dated December 6, 2005.

In response to the restriction requirement Applicants elect claims 1 – 5 and 12 – 14 (Group I) to prosecute in this patent application. The applicants also are withdrawing claims 6 – 11 and 15 – 17 directed to the non-elected inventions. Applicants also elect the species “aliphatic carboxylic acids”.